

Wayne M. Greenwald
WAYNE GREENWALD, P.C.
Attorneys for the Debtor
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Hearing Date: June 10, 2010
Hearing Time: 10:00 a.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re

GARY B. SCHAEFFER,

Debtor.

Case No.

09-17126 -mg

In Proceedings for
Reorganization under
Chapter 11

-----X
GARY B. SCHAEFFER,

Plaintiff,

-against-

ADV No.

10-03187-mg

ARLINE SCHAEFFER,

Defendant.

-----X

RESPONSE OF WAYNE GREENWALD TO THE COURT'S ORDER TO
SHOW CAUSE AS WHY WAYNE GREENWALD SHOULD NOT BE
SANCTIONED FOR FAILING TO ATTEND THE PRE-TRIAL
CONFERENCE HELD ON MAY 18, 2010

TO: MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE

Wayne Greenwald, represents:

1. Wayne Greenwald has three reasons why he should not be sanctioned for failing to attend the pre-trial conference in this case held on May 18, 2010.
2. Those reasons are: a.) Wayne Greenwald's failure to appear was the result of his attending a hearing before another court due to an honest mistake in his schedule; b.) Wayne Greenwald would probably not seek sanctions if he appeared at a hearing and were the other party failed to appear; and c.) the embarrassment of his failure to appear is sanction enough.
3. Notwithstanding these reasons, Wayne Greenwald does not object to compensating Arline Schaeffer for her attorneys' fees and expenses actually incurred as by her in her attorneys attending that hearing at which Wayne Greenwald did not attend.
4. Wayne Greenwald offered to do this when, upon learning of the Court's call to his office to find out where he was, he called chambers.

Dated: New York, New York
June 7, 2010

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By: /s/ Wayne M. Greenwald Pres.
Wayne M. Greenwald